

Chapter 4

Reporting Requirements

This chapter reviews when and where campaign statements must be filed, as well as provides instructions and samples of campaign forms. Each major donor committee must file the Form 461 (Major Donor and Independent Expenditure Committee Campaign Statement). Following the review of the Form 461 is a discussion of additional forms that may be required.

Filing deadlines cannot be extended. For statements that are mailed, the date of the postmark is considered the date filed. Failure to file on time may lead to late filing penalties of \$10 for each day the statement is late. Failure to file a statement may result in additional penalties.

Form 461 — Major Donor and Independent Expenditure Committee Campaign Statement

The Form 461 is used to report contributions and independent expenditures made to support or oppose California state and local candidates, officeholders, and ballot measures, and contributions to campaign committees such as PACs and political parties. The report provides the public with information regarding the nature and interests of the person making the payments.

 **Quick TIP** If your committee makes both contributions and independent expenditures also refer to FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees.

Major donor committees terminate automatically at the end of each calendar year. On January 1 of every year, the slate is wiped clean.

Major donor committees are required to file Form 461 at specified times. The filing dates

are determined by whether or not the committee's activity takes place primarily in a particular city, county, or at the state level (which includes activities in multiple counties) and are also determined by the date of the election.

- State committees make contributions to state candidates, state measures, state general purpose committees or any number of candidates or measures being voted on in more than one county.
- County committees make contributions to candidates or measures being voted on in a single county election, to any number of jurisdictions wholly within a single county, or to county general purpose committees.
- City committees make contributions to candidates or measures being voted on in a single city or to city general purpose committees.

When to File Form 461

Semi-Annual Statements: All Committees

January 1 – June 30: Due July 31

If an entity qualifies as a committee during the first six months of the year, the Form 461 is due no later than July 31, covering the period January 1 through June 30. If no additional contributions or independent expenditures are made during the second semi-annual period, July 1 through December 31, no other Form 461 is required during the calendar year.

July 1 – December 31: Due January 31


If an entity qualifies as a committee during the first six months of the year and any amount of contributions are made after June 30, a Form 461 covering the period July 1 through December 31 is required. If an entity or individual qualifies as a committee during

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the second six months of the year, its Form 461 will be due no later than January 31, covering the period January 1 through December 31 of the prior year.

Preelection Statements: City Committees

During a six-month period in which a city election is held, a city committee may be required to file two preelection statements. Preelection statements are required if the committee makes contributions that total \$500 or more during the period covered by the statement. Contact the city filing officer for the election filing schedule.

 **Check the FPPC website for filing schedules. Most local election and all state election filing schedules are published there.**

Early Filing

A major donor may file campaign statements in advance of a deadline. For example, if a major donor makes contributions in the first quarter of a year triggering the special odd-year report (see page 4-12), and does not expect to make additional contributions that year, it may file a report covering the period January 1 through June 30 on or before April 30. A semi-annual statement would not be required for the July 31st deadline. If additional contributions are made, a Form 461 must be filed.

Amendments

If, at any time, a committee determines that an error has occurred on a previous filing, an amendment is required. Check the amendment box on Form 461 and complete Part 1. Only the amended information, including Part 3, if applicable, must be disclosed. The verification must be completed.

Where to File

Form 461

State Committees

Secretary of State
Original & 1 Copy

Registrar/Los Angeles County
1 Copy

Department of Elections/San Francisco
1 Copy

County Committees

County Clerk
Original & 1 Copy

City Committees

City Clerk
Original & 1 Copy

State Filing Officers

Secretary of State


Political Reform Division
P.O. Box 1467
1500 11th Street, Room 495
Sacramento, CA 95814
Fax (916) 653-5045

Registrar-Recorder of Los Angeles County

Campaign Reporting Unit
12400 Imperial Highway
Norwalk, CA 90650-3134
Fax (562) 651-2548

Department of Elections, City and County of San Francisco

1 Doctor Carlton Goodlett Place, Room 48
San Francisco, CA 94102-4635
Fax (415) 554-7344

 **Although a committee may make contributions in connection with local elections, anything more than a de minimus contribution to, or independent expenditure for, a state candidate, ballot measure, or**

other type of committee will result in state committee status.

If a major donor is initially required to file as a city or county committee and later during the calendar year the major donor qualifies as another type of committee (for example, a city committee becomes a county or state committee), it must continue to file copies of its Form 461 in the original city or county and in the other locations it is required to file until the end of the calendar year.

Electronic Filing

State committees are required to file electronically with the Secretary of State if cumulative contributions (including loans) or expenditures made are \$50,000 or more. The cumulative totals include expenditures a state committee makes regarding a local election or committee. Major donor committees need not file electronically in any calendar year in which they have not reached the \$50,000 threshold. Persons filing electronically also must continue filing disclosure statements and reports in paper format. For information about electronic filing requirements, contact the Secretary of State's office at (916) 653-6224 or www.sos.ca.gov. Depending on when a committee qualifies, its first electronic report may be a late contribution report or a semi-annual report.

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Form 461 Cover Page

Major Donor and Independent Expenditure Committee Campaign Statement (Government Code sections 84200-84216.5)		Type or print in ink.		MAJOR DONOR AND INDEPENDENT EXPENDITURE COMMITTEE STATEMENT CALIFORNIA FORM 461	
Statement covers period from 1/1/XX through 6/30/XX		Date of election if applicable: (Month, Day, Year)		Page 1 of 2 For Official Use Only	
SEE INSTRUCTIONS ON REVERSE					
1. Name and Address of Filer NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures) RESIDENTIAL OR MAILING ADDRESS (NO. AND STREET) 4300 Industrial Park West CITY STATE ZIP CODE Sacramento CA 95817 RESPONSIBLE OFFICER (If filer is other than an individual) Howard Hart AREA CODE DAYTIME PHONE (916) 876-5023			3. Summary (Amounts may be rounded to whole dollars.) 1. Expenditures and contributions (including loans) of \$100 or more made this period. (Part 5.) \$ 72,754 2. Unitemized expenditures and contributions (including loans) under \$100 made this period. \$ 0 3. Total expenditures and contributions made this period. (Add Lines 1 + 2.) SUBTOTAL \$ 72,754 4. Total expenditures and contributions made from prior statement. (Enter amount from Line 5 of last statement filed. If this is the first statement for the calendar year, enter zero.) \$ 0 5. Total expenditures and contributions (including loans) made since January 1 of the current calendar year. (Add Lines 3 + 4.) TOTAL \$ 72,754		
2. Nature and Interests of Filer (Complete each applicable section.) <input type="checkbox"/> AFILER WHO IS AN INDIVIDUAL MUST LIST THE NAME, ADDRESS, AND BUSINESS INTERESTS OF EMPLOYER OR, IF SELF-EMPLOYED, THE NAME, ADDRESS, AND NATURE OF THE BUSINESS NAME OF EMPLOYER/BUSINESS BUSINESS INTERESTS ADDRESS OF EMPLOYER/BUSINESS <input checked="" type="checkbox"/> AFILER THAT IS A BUSINESS ENTITY MUST DESCRIBE THE BUSINESS ACTIVITY IN WHICH IT IS ENGAGED Gourmet Food <input type="checkbox"/> AFILER THAT IS AN ASSOCIATION MUST PROVIDE A SPECIFIC DESCRIPTION OF ITS INTERESTS <input type="checkbox"/> AFILER THAT IS NOT AN INDIVIDUAL, BUSINESS ENTITY, OR ASSOCIATION MUST DESCRIBE THE COMMON ECONOMIC INTEREST OF THE GROUP OR ENTITY			4. Verification I have used all reasonable diligence in preparing this statement. I have reviewed the statement and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on 7/15/XX By [Signature Required] DATE SIGNATURE OF INDIVIDUAL DONOR OR RESPONSIBLE OFFICER IF OTHER THAN AN INDIVIDUAL		

How to Complete

Statement Period and Date of Election

If this is the first filing of the calendar year, the “from date” should be January 1. Otherwise, this date should be the day after the closing date of the most recently filed Form 461. The closing date of the statement depends on the type of statement being filed. Only city committees complete the “Date of election” box when filing a preelection statement.

Example *Rosebud Productions is disclosing a \$10,000 contribution made on May 1. Its Form 461 will show the period as January 1 through June 30. In the second half of the year, Rosebud made another contribution. Its second Form 461 for the year will show the period as July 1 through December 31.*

Part 1 – Filer Information

Enter the legal name of the individual or entity filing the statement. If the filer is

commonly known to the public by another name, that name may be used. When a person directs and controls the making of contributions and independent expenditures by a related entity (e.g., a subsidiary or a majority shareholder of a corporation) that must be aggregated and reported on Form 461, list as the “Name of Filer” the name of the individual or entity that directs and controls the making of the contributions.

Example *Hector Flores is the sole owner of two separate businesses. Hector directed a \$7,000 contribution from one business to a local ballot measure committee in January and a \$5,000 contribution from the other business to a local candidate in February. No other contributions were made in the calendar year. Hector will file the Form 461 under the name “Hector Flores (including aggregated contributions).” The Form 461 will identify both contributions and the business entity name associated with each contribution. Hector must also notify the ballot measure*

committee and the candidate that the contributions must be reported under the name Hector Flores.

In addition:

- Indicate that the campaign statement includes the contributions of other entities. For example, “ABC Corporation, including aggregated contributions.”
- Identify any entities added to this report that were not included in a prior report filed for the current calendar year, as well as any entities included in a prior report for the current calendar year that are no longer required to aggregate under the name of filer.
- Identify both names if the “Name of Filer” listed on a previous report filed for the current calendar year is different than the name identified on this report. For example, “Tim Lewis, formerly Lewis Construction.”
- Enter the name of the responsible officer of an entity or organization filing the statement.

Part 2 – Nature and Interests of Filer

The nature and interests of the filer must be clearly identified. The business activity, association interests, or economic interest must be defined in the appropriate category. When payments from different persons are reported, if there are different interests, an attachment must identify the various persons and respective interests.

Part 3 – Summary

The summary lists the totals of all expenditures and contributions (including loans) made during the period covered by the statement. Collectively, Lines 1-3 represent the expenditures and contributions made during the reporting period. Line 4 must be the same figure shown on Line 5 of the previously filed statement or zero if it is

the first statement for the calendar year. Line 5 represents the total of all expenditures and contributions made since January 1 of the current calendar year.

Part 4 – Verification

An attorney, a certified public accountant, or a responsible officer of an entity or an entity filing jointly with any number of affiliates may sign the verification on behalf of the entity or entities. However, a statement filed by an individual must be signed by the individual rather than the individual's attorney or certified public accountant. The Form 461 is not considered filed if it is not signed.

The amendment box is checked if an amendment is being filed to a previously filed Form 461. A brief explanation of the change is required and the period covered by the statement being amended should be noted above in the “statement covers period” box.

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Form 461

Major Donor and Independent Expenditure Committee Campaign Statement		MAJOR DONOR AND INDEPENDENT EXPENDITURE COMMITTEE STATEMENT				
<small>SEE INSTRUCTIONS ON REVERSE</small> NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures)		<small>Type or print in ink. Amounts may be rounded to whole dollars.</small> Statement covers period from 1/1/XX through 6/30/XX	CALIFORNIA FORM 461 Page 2 of 2			
5. Contributions (Including Loans, Forgiveness of Loans, and Loan Guarantees) and Expenditures Made <small>(If more space is needed, use additional copies of this page for continuation sheets.)</small>						
DATE	NAME, STREET ADDRESS, CITY, STATE AND ZIP CODE OF PAYEE <small>(IF COMMITTEE, ALSO ENTER I.D. NUMBER)</small>	TYPE OF PAYMENT	DESCRIPTION OF PAYMENT <small>(IF OTHER THAN MONETARY CONTRIBUTION OR LOAN)</small>	CANDIDATE AND OFFICE, MEASURE AND JURISDICTION, OR COMMITTEE	AMOUNT THIS PERIOD	CUMULATIVE AMOUNT RELATED TO THIS CANDIDATE, MEASURE, OR COMMITTEE
4/10/XX	Committee to Save California 4733 Rancho Road Sacramento, CA 95821 #1251273 (Hart Co.)	<input checked="" type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure		Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	6,000	6,000
5/16/XX	Mammoth Print Shop 1300 I Street Sacramento, CA 95814 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	brochures	Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	26,000	56,000
5/27/XX	KZYY 1240 AM 4700 Broadway Sacramento, CA 95814 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input type="checkbox"/> Non-Monetary Contribution <input checked="" type="checkbox"/> Independent Expenditure	air time	Jane Addams, AD 5 <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose	30,000	56,000
6/1/XX	Pym and Associates 34 Gough Street San Francisco, CA 94103 (Kline Ltd.)	<input type="checkbox"/> Monetary Contribution <input type="checkbox"/> Loan <input checked="" type="checkbox"/> Non-Monetary Contribution <input type="checkbox"/> Independent Expenditure	payment for professional services	Yes on 88, State <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	10,754	10,754
SUBTOTAL \$					72,754	

Part 5 – Contributions and Expenditures Made

- Disclose the dates of the contributions or independent expenditures made during the period. (See Chapter 2 for determining when a contribution is made.)
- Each payment of \$100 or more must be itemized. The name, street address, city, state, and zip code of the payee must be included. Also include committee I.D. numbers if applicable. Do not use a post office box number.
- Check the box indicating what type of payment was made. If the payment was a nonmonetary contribution, provide a description of the payment.
- If a total of \$100 or more was contributed or expended during a calendar year to support or oppose a single candidate, ballot measure, or general purpose committee (e.g., a political party or a PAC), the name of the candidate and the

office sought or held, the name and jurisdiction of the ballot measure, or the name of the general purpose committee must be disclosed. For each candidate or measure listed, indicate whether the payment was made to support or oppose the candidate or measure.

- The amount of contributions made this period relative to each candidate, measure, or committee and the cumulative amount contributed or paid since January 1 of the current calendar year must be provided.

General Rules

- When contributions or expenditures from affiliated entities are itemized on one statement, each affiliated entity must be identified with its specific payment. In addition, the statement must also identify the addition or deletion of any entity for which contributions and expenditures are aggregated together.

- Loan repayments are not reported. If a loan was made and forgiven during the same calendar year, the amount of the forgiveness under “Description of Payment” is reported. The same is true if a loan guarantee is made and payments to the lender are made during the same calendar year.
- When a payment is made to a primarily formed committee for a candidate or measure, disclose the name of the primarily formed committee under the “name of the payee” section. Under the applicable section, disclose the candidate and office or measure and jurisdiction and whether the committee to which you contributed “supports” or “opposes” the particular candidate or measure. For example, the oppose box would be marked if a contribution was made to the Committee to Oppose Candidate Saxton.
- A contribution that is returned, uncashed, during the reporting period is not reportable.
- Contributions made to federal candidates or candidates in other states should not be reported on Form 461.
- A contribution that has been transferred by a candidate to another of his or her controlled committees does not need to be reported again. However, in some cases, the transferred contribution counts toward the state contribution limit for the new committee.
- The contributions of a husband and wife are calculated separately for purposes of qualifying as a major donor committee. If both individuals qualify as major donor committees, they should file separate forms.
- If contributions were made to more than one election committee controlled by the same candidate, cumulate the amounts contributed to all committees.
- Contributions to an officeholder account are cumulated with the candidate's future election committee contributions. Payments that are not cumulated include:
 - Contributions made to a candidate's election committee and to that candidate's controlled ballot measure committee, legal defense fund, or recall committee.
 - Independent expenditures supporting a candidate and contributions to that same candidate's campaign.
- If goods on hand were contributed (e.g., paper or postage), describe the goods or services in the “Description of Payment” column, and disclose the fair market value of the goods or services. The fair market value is the amount it would cost the recipient to purchase the goods on the open market.
- If a payment was made to an agent or independent contractor who then made payments on behalf of the filer (subvendor payments), disclose payments made to the subvendor in addition to the payments made to the agent. Report the name and address of the agent, followed by the name and address of each subvendor paid \$500 or more. Amounts paid to the agent are disclosed in the “Amount this Period” column and the amounts paid to a subvendor(s) are reported in the “Description of Payment” column.
- If an employee spends more than 10 percent of his/her compensated time in any one month engaged in campaign activities that expressly advocate the support of or opposition to a candidate or measure (e.g., phone banks or precinct walking), the employer must report the payments as nonmonetary contributions. The names, addresses, and the specific salaries of the employees are not required to be disclosed.
- A candidate's contributions to his or her own committee do not trigger the requirement to file Form 461. However, a

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candidate filing a Form 461 disclosing personal contributions made to **other** candidates or committees must also disclose personal contributions made to his or her own controlled committees.

Additional Reports

In addition to the Form 461, other reports may be required depending on a committee's activity, including:

- Supplemental Independent Expenditure Report (Form 465)
- 496 Independent Expenditure Report (Form 496)

- 497 Contribution Report (Form 497)
- Paid Spokesperson Report (Form 511)
- Special Odd-Year Report (Form 461)
- Report of Communications Identifying State Candidates (Form E-530)

It is important to review where each report must be filed as several of the filing locations may not be the committee's regular filing locations. Consult FPPC Campaign Disclosure Manual 6 for Independent Expenditure Committees for instructions on filing a Supplemental Independent Expenditure Report (Form 465) or a 496 Independent Expenditure Report (Form 496).

If Your Committee	File
Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or ballot measure	Form 465
Makes independent expenditures of \$1,000 or more to support or oppose a single candidate or measure during the 16 days before the candidate's or measure's election	Form 496
Makes independent expenditures of \$1,000 or more to support or oppose a single state candidate or state measure during the 90 days before the candidate's or measure's election	Form 496
Makes contributions totaling \$1,000 or more to a single candidate or primarily formed ballot measure committee during the 16 days before the candidate's or measure's election	Form 497
Makes contributions totaling \$1,000 or more to a political party (including central committees) during the 16 days before a state election	Form 497
Makes expenditures of \$5,000 or more for an individual to appear in a ballot measure advertisement	Form 511
Makes payments of \$50,000 or more to "feature" a state candidate 45 days before an election	Form E-530
Makes contribution(s) totaling \$10,000 to state officeholders during the first and third quarters of an odd-numbered year	Form 461

Electronic Filers

Except where noted, state committees that are required to file campaign statements electronically must file the reports reviewed in this chapter electronically as well as in paper format if the report is required to be filed with the Secretary of State.

Late Contributions (Form 497)

16-Day Contribution Report: A Form 497 must be filed if, during the last 16 days before an election, a major donor makes a contribution of \$1,000 or more, or multiple contributions aggregating \$1,000 or more, to a single candidate or primarily formed ballot measure committee. A Form 497 must also be filed if a committee makes a contribution of \$1,000 or more to a political party (including central committees) during the 16 days before **any** state election.

Examples *Fourteen days before the November election, a major donor made a \$20,500 contribution to Yes on Measure G. The major donor must file Form 497 within 24 hours of making the contribution. (The Measure G committee also must report the receipt of a late contribution.)*

Ten days before a special state election to fill a vacant Assembly seat, a major donor makes a contribution of \$5,000 to the Riverside County Republican Central Committee. Regardless of the purpose for the contribution, the major donor must file Form 497, and the central committee receiving the contribution must file a report as well.

QuickTIP Check the FPPC website for filing schedules. Most local election and all state election filing schedules are published there.

When to File

A late contribution is made on the date the contribution is mailed, delivered, or otherwise transmitted to a candidate or committee. Late reports must be filed within 24 hours. The “next business day” rule for filing periodic reports does **not** apply to late reports.

Where to File

The Form 497 must be filed by fax, guaranteed overnight delivery service, or personal delivery at the same locations where the committee files its regular campaign statements (e.g., Form 461). **Regular mail may not be used.** (See page 4-2 for filing locations.)

When a state major donor committee that files electronically with the Secretary of State makes a late contribution totaling \$1,000 or more to support or oppose a single state candidate or a single state ballot measure during the 16 days before the election, it must also file Form 497 electronically with the Secretary of State within 24 hours of making the expenditure.

QuickTIP It is not unusual for the first contribution that a major donor makes to trigger electronic filing of a Form 497. For example, a contribution of \$50,000 or more 16 days before a state election will trigger an electronic filing and paper filings.

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Form 497

497 Contribution Report				
Type or print in ink. Amounts may be rounded to whole dollars.				
NAME OF FILER Hart Corporation (including aggregated contributions)		Date of This Filing 6/2/XX	Date Stamp	497 CONTRIBUTION REPORT
AREA CODE/PHONE NUMBER (916) 876-5023	I.D. NUMBER (if applicable)	Report No. 1	CALIFORNIA FORM 497 For Official Use Only	
STREET ADDRESS 4300 Industrial Park West		<input type="checkbox"/> Amendment to Report No. _____ (explain below)		
CITY Sacramento	STATE CA	ZIP CODE 95817		
2. Contribution(s) Made				
DATE MADE	FULLNAME, STREET ADDRESS AND ZIP CODE OF RECIPIENT (IF COMMITTEE ALSO ENTERED NUMBER)	CANDIDATE AND OFFICE OR MEASURE AND JURISDICTION	AMOUNT OF CONTRIBUTION	DATE OF ELECTION (IF APPLICABLE)
6/1/XX	Pym and Associates 34 Gough Street San Francisco, CA 94103 (Kline Ltd.)	Prop. 88, State	10,754	6/3/XX

How to Complete Form 497

- Enter the committee's name, street address, city, state, and zip code.
- Indicate the date of filing this report.
- Assign a unique number to each late contribution report, such as 1, 2, 3, PR-1, PR-2, PR-3, etc.

For late contributions **made**, provide:

- The date made;
- The recipient's full name and address;
- Office sought or held (if to a candidate);
- Ballot measure number or letter and jurisdiction (if to a ballot measure committee);
- The date of the election, if a state committee is disclosing a late contribution to a local candidate; and
- The amount of the contribution. (Check the box if it was a loan.)

Amendments

To amend a previously filed Form 497, file a new Form 497 with the corrected information and the "Amendment" box checked. Or, disclose the required information on a piece of paper identified as an amendment. The "Report Number" of the report being amended should be included. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.

Form 511

Paid Spokesperson Report			Date Stamp	CALIFORNIA FORM 511 For Official Use Only
Type or print in ink. Amounts may be rounded to whole dollars.				
NAME OF FILER Hart Corporation (including aggregated contributions and independent expenditures)		ID # (if required)	<input type="checkbox"/> Amendment (explain) 	
AREA CODE/PHONE NUMBER (916) 876-5023	E-MAIL (optional) howard.hart@sbcglobal.net			
STREET ADDRESS 4300 Industrial Park West				
CITY Sacramento	STATE CA	ZIP CODE 95817		
Payments Made Attach additional information on appropriately labeled continuation sheets.				
DATE	NAME AND ADDRESS OF SPOKESPERSON	BALLOT MEASURE SUPPORTED OR OPPOSED (INCLUDE BALLOT NUMBER OR LETTER AND JURISDICTION)	AMOUNT	
10/1/XX	Judy Sanchez 10 Main Street Sacramento, CA 95814 (Hart Corp.)	Prop. 215, State of CA <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	5,500	
10/1/XX	Steve Fong 28 Gerber Drive Sacramento, CA 95814 (Kline Ltd.)	Prop. 215, State of CA <input checked="" type="checkbox"/> Support <input type="checkbox"/> Oppose	7,000	
Verification I have used all reasonable diligence in preparing this report. I have reviewed the report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.				
Executed on 10/15/XX DATE		By _____ [Signature Required] SIGNATURE OF TREASURER/ASSISTANT TREASURER/FILER		

Paid Spokesperson Report (Form 511)

A Paid Spokesperson Report (Form 511) is filed by a major donor committee that makes payments totaling \$5,000 or more for an individual's appearance in a printed, televised, or radio advertisement, or in a telephone message, to support or oppose the qualification, passage, or defeat of a state or local ballot measure. (The advertisement itself also must disclose that the individual is being paid to appear.)

Example A corporation pays \$30,000 for a public relations firm to produce a television advertisement supporting Measure B. A celebrity is paid \$5,000 or more to appear in the ad. The corporation must file the Form 511. In addition, the ad must state that the individual was paid to appear.

Form 511 must be filed in addition to any other statements the committee is required to file. Payments made to

spokespersons also must be reported on the committee's next campaign statement (Form 461).

When and Where to File

File Form 511 within 10 days of making or promising payments totaling \$5,000 or more to the individual that will appear in the advertisement(s). File Form 511 in the same location(s) the committee files its campaign statements.

How to Complete Form 511

Payments Made

In the first column, provide the date the payments were made or the services were received, whichever is earlier. In the second column, indicate the name and address of the individual who was paid \$5,000 or more to appear in the advertisement. In the third column, provide the name, number or letter, and jurisdiction of the ballot measure supported or opposed by the advertisement.

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Finally, in the last column, indicate the total amount of the expenditure.

Verification

The Form 511 is not considered filed if it is not signed.

Amendments


To amend a previously filed Form 511, file another Form 511 with the corrected information. Check the “Amendment” box and give a brief description of the amendment. Like the original, the amendment must be signed and dated. There is no deadline for filing amendments. However, amendments should be filed as soon as practicable. File the amendment in the same location(s) as the original.


Special Odd-Year Report

During an odd-numbered year, special odd-year reports (Form 461) must be filed if the major donor committee makes contributions totaling \$10,000 or more to **elected state officers**, their controlled committees, or committees primarily formed to support or oppose any elected state officer between January 1 and March 31, or between July 1 and September 30. The special odd-year reports are due April 30 and October 31, respectively.

Form 461 is triggered if the contributions are made to any controlled committee of an elected state officer, including controlled general purpose ballot measure committees, controlled primarily formed ballot measure committees, officeholder, legal defense committees, or recall committees.

The form is completed and filed in the same manner as a regular semi-annual statement and includes all of the major donor committee’s activity during the reporting period, not just contributions to elected state officers.

 **See page 4-2 for early filing information and combining a special odd-year report with a semi-annual report.**

 *During March of an odd-numbered year, ABC Corporation makes a contribution of \$3,000 to a state officeholder’s controlled ballot measure committee, and four contributions to four different Assembly officeholders of \$3,000 each. The corporation files a special odd-year report on a Form 461 covering the period January 1 through March 31. The report is due no later than April 30. The special odd-year report is filed with the committee’s regular filing officers. The next statement, the semi-annual, will cover the period April 1 through June 30, and is due no later than July 31.*

Communications Identifying State Candidates (Form E-530)

A major donor committee that spends \$50,000 or more for a communication disseminated during the 45 days before an election that clearly identifies a state candidate appearing on the ballot, but does not expressly advocate the election or defeat of that candidate, must file Form E-530 electronically with the Secretary of State within 48 hours of making payments, or promising to make payments, totaling \$50,000 or more. The report must disclose the amount and date of the payment(s), and the name of and office sought by the candidate identified in the communication. A separate report must be filed for each state candidate identified in the communication.

 *The Temple Company purchased billboard space up and down Interstate 5 stating, “Thank You, Governor Romez, for Supporting California’s Children.” The billboard space was rented for the 30 days prior to the Governor’s election. The total cost for design, printing,*

placement, and space rental was \$65,000 and was paid on October 6. By October 8, the company must file the Form E-530 electronically with the Secretary of State.

Form E-530 must be filed in addition to any preelection or semi-annual campaign statements the committee is required to file. The report must be verified by a written “electronic filing declaration,” signed, dated, and verified on the same date that the report is transmitted to the Secretary of State. This declaration must be retained in the committee’s records for five years following the date that the campaign report to which it relates is filed. The statement must include the following language:

“I have used all reasonable diligence in preparing this report and to the best of my knowledge the information contained herein is true and complete. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.”

How to File Form E-530

There is no paper version of the Form E-530. To access the online form, go to the Secretary of State’s website (www.sos.ca.gov) and click on “For Filers Only” under Campaign Finance. You must apply for a Filer ID and password using the form provided. Then, from the same location on the website, you can click on the E-530 link to access the form.

Authority

The following Government Code sections and Title 2 regulations provide authority for the preceding information in this chapter:

Government Code Sections

- 81004 *Reports and Statements; Perjury; Verification.*
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- 82025 *Expenditure.*
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- 84202.7 *Time for Filing by Committees of Odd-Numbered Year Reports.*
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